

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Berez et al.

Application No.: 10/724,010

Group No.: 3733

Filed: November 25, 2003

Examiner: Philogene, Pedro

For: Patient Selectable Joint Arthroplasty Devices and Surgical Tools Facilitating Increased Accuracy, Speed and Simplicity in Performing Total and Partial Joint Arthroplasty

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TRANSMITTAL

1. Transmitted herewith is a response for this application.

STATUS

2. Applicant asserts small entity status.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

| | (Col. 1) | (Col. 2) | (Col. 3) | SMALL ENTITY | | | |
|---|---------------------------------|---------------------------------------|------------------|--------------|------------|---------------|--------|
| | CLAIMS | | | | | | |
| | REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | | RATE | ADDIT. FEE | |
| TOTAL | 94 | — 78 | = 16 | x | \$ 25.00 | = \$ | 400.00 |
| INDEP. | 2 | — 5 | = 0 | x | \$ 105.00 | = \$ | 0.00 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | + | \$ 0.00 | = \$ | 0.00 |
| | | | | | TOTAL | | |
| | | | | | ADDIT. FEE | \$ | 400.00 |

Total additional fee for claims required \$400.00

FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$400.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

FEE DEFICIENCY

6. If an extension and/or fee is required, charge Account No. 19-4972.

If an additional fee for claims is required, charge Account No. 19-4972.

Date: February 14, 2008

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